



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

March 29, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

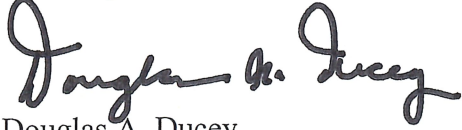
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on March 29, 2018:

HB 2035 deferred compensation plans; governing committee (Livingston)
HB 2156 legislative vacancy; appointment; time frame (Coleman)
HB 2196 certificates of necessity; hearings; duration (Carter)
HB 2242 fire districts; revisions; county islands (Farnsworth, E.)
HB 2258 diabetes; annual report (Carter)
HB 2412 leave of absence; day; definition (Shope)
HB 2477 high school mathematics; proficiency; notification (Udall)
HB 2505 converted entities; claims (Cobb)
HB 2513 hyperbaric oxygen therapy; veterans; fund (Finchem)
HB 2536 dual enrollment; homeschooled children (Bowers)
SB 1073 orthotics; prosthetic devices; valid prescription (Brophy McGee)
SB 1111 workers' compensation; opioids; dispensed medications (Fann)
SB 1204 trusts and estates (Worsley)
SB 1253 game and fish; licenses; fees (Griffin)
SB 1294 tax corrections act of 2018 (Farnsworth, D.)
SB 1401 ignition interlock device; installer; manufacturer (Worsley)
SB 1405 corporate income tax allocation; sales (Fann)
SB 1422 universities; tuition and fees (Griffin)

SB 1499 community facilities districts; directors (Smith)
SB 1502 ignition interlock device; incarceration credits (Smith)
SB 1518 department of child safety; reports (Brophy McGee)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is written in a cursive, flowing style with a large initial "D".

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 110

SENATE BILL 1518

AN ACT

AMENDING SECTIONS 8-462, 8-514.03, 8-521, 8-526, 8-812 AND 8-817, ARIZONA
REVISED STATUTES; REPEALING SECTION 8-818, ARIZONA REVISED STATUTES;
RELATING TO THE DEPARTMENT OF CHILD SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-462, Arizona Revised Statutes, is amended to
3 read:

4 8-462. Housing assistance

5 A. Notwithstanding any other provision in this title, the
6 department may provide special housing assistance in the form of vendor
7 payments to achieve permanency for children who are involved in open child
8 safety services cases. The child's family may qualify for this special
9 housing assistance only if the lack of adequate housing is a significant
10 barrier preventing the child from being reunited with or being able to
11 remain with the child's family or other caretakers who will provide
12 permanency for the child. The amount of housing assistance provided by
13 the department for each family for an incident shall not exceed one
14 thousand eight hundred dollars during a six month period. The housing
15 assistance may only be used for rent, utilities, deposits and arrears.
16 The department may provide housing assistance only if other resources are
17 unavailable.

18 B. The case ~~plan~~ RECORD for the child and family shall contain a
19 reference to the lack of adequate housing.

20 C. The case ~~notes~~ RECORD shall reflect barriers that the family
21 faces in obtaining adequate housing, a specific, time oriented plan for
22 phasing out the need of the family for continued housing assistance, the
23 actions that are being taken by the family for economic self-sufficiency
24 and a complete financial picture of the family at the time of application
25 to the program, including housing related expenses and income, including
26 entitlements.

27 D. For the period a family is receiving housing assistance, the
28 department shall provide case management services that include monitoring
29 the financial situation of the family.

30 ~~E. The department shall make the following information regarding~~
31 ~~the housing assistance program available to the public on request and on~~
32 ~~the department's web site:~~

33 ~~1. The number of children and families, by district, receiving~~
34 ~~services through this program during the previous fiscal year.~~

35 ~~2. The total amount of monies spent on the program by district.~~

36 ~~3. A programmatic and fiscal evaluation of the effectiveness of~~
37 ~~this program which includes the amount of monies saved by reducing foster~~
38 ~~care expenditures.~~

39 ~~F. The department may adopt rules to carry out this section.~~

40 Sec. 2. Section 8-514.03, Arizona Revised Statutes, is amended to
41 read:

42 8-514.03. Kinship foster care; requirements; investigation

43 A. The department shall establish kinship foster care services for
44 a child who has been removed from the child's home and is in the custody
45 of the department. The program shall promote the placement of the child

1 with the child's relative OR A PERSON WITH A SIGNIFICANT RELATIONSHIP WITH
2 THE CHILD for kinship foster care.

3 B. A kinship foster care parent applicant who is not a licensed
4 foster care parent shall be at least eighteen years of age. The applicant
5 and each member of the applicant's household who is at least eighteen
6 years of age shall submit a full set of fingerprints to the department of
7 child safety for the purpose of obtaining a state and federal criminal
8 records check pursuant to section 41-1750 and Public Law 92-544. The
9 department of public safety may exchange this fingerprint data with the
10 federal bureau of investigation. The department of child safety shall
11 determine if the applicant is able to meet the child's health and safety
12 needs by conducting one or more home visits and interviewing the
13 applicant. The department of child safety may interview other household
14 members, review the applicant's personal and professional references and
15 conduct department of child safety central registry checks.

16 C. If the department determines that a kinship foster care
17 placement is not in the best interest of the child, the department shall
18 provide written notification to the applicant within fifteen business
19 days. The notice shall include the specific reason for denial, the
20 applicant's right to appeal and the process for reviewing the decision.

21 D. A kinship foster care parent may be eligible to receive the
22 following financial services for the child:

23 1. Full foster care benefits, including payment if the kinship
24 foster care parent becomes a licensed foster care home.

25 2. Temporary assistance for needy families cash assistance payments
26 for a child only case and supplemental financial support.

27 E. The department shall establish procedures for child welfare
28 workers to inform kinship foster care families about available financial
29 and nonfinancial services and eligibility requirements and shall assist
30 the families in completing the necessary application.

31 F. If a family declines to apply for financial services, the family
32 shall sign a statement indicating that the family declined services. The
33 statement does not prevent the family from making application in the
34 future. The worker shall provide a copy of the statement to the family.

35 G. The department shall provide nonfinancial services for a kinship
36 foster care parent through existing means or referral. Nonfinancial
37 services may include:

38 1. Family assessment.

39 2. Case management.

40 3. Child day care.

41 4. Housing search and relocation.

42 5. Parenting skills training.

43 6. Supportive intervention and guidance counseling.

44 7. Transportation.

45 8. Emergency services.

1 9. Parent aid services.

2 10. Respite services.

3 11. Additional services that the department determines are necessary
4 to meet the needs of the child and family.

5 ~~H. The department of child safety shall evaluate biannually the~~
6 ~~performance of the kinship foster care program. On or before November 1,~~
7 ~~the department shall submit a report to the speaker of the house of~~
8 ~~representatives, the president of the senate and the governor and shall~~
9 ~~provide a copy of this report to the secretary of state. The report shall~~
10 ~~contain the following information:~~

11 ~~1. The demographics and number of children placed with relative~~
12 ~~caregivers.~~

13 ~~2. The demographics of kinship foster caregivers.~~

14 ~~3. The number of relative children per kinship foster care family.~~

15 ~~4. The department's success at maintaining kinship foster care~~
16 ~~placements.~~

17 ~~5. The type of services provided to kinship foster care families.~~

18 ~~6. The cost of services provided to kinship foster care families~~
19 ~~compared to the cost of out-of-home placements.~~

20 ~~7. Recommendations regarding program improvement.~~

21 Sec. 3. Section 8-521, Arizona Revised Statutes, is amended to
22 read:

23 8-521. Independent living program; conditions; eligibility;
24 rules; case management unit; progress reports

25 A. The department or a licensed child welfare agency may establish
26 an independent living program for youths who are the subject of a
27 dependency petition or who are adjudicated dependent and are all of the
28 following:

29 1. In the custody of the department, a licensed child welfare
30 agency or a tribal child welfare agency.

31 2. At least seventeen years of age.

32 3. Employed or full-time students.

33 B. The independent living program may consist of a residential
34 program of less than twenty-four hours a day supervision for youths under
35 the supervision of the department through a licensed child welfare agency
36 or a foster home under contract with the department. Under the
37 independent living program, the youth is not required to reside at a
38 licensed child welfare agency or foster home.

39 C. The director or the director's designee shall review and approve
40 any recommendation to the court that a youth in the custody of the
41 department be ordered to an independent living program.

42 D. For a youth to participate in an independent living program, the
43 court must order such a disposition pursuant to section 8-845.

44 E. The department of child safety, a licensed child welfare agency
45 or a tribal child welfare agency having custody of the youth shall provide

1 the cost of care as required by section 8-453, subsection A, paragraph 9,
2 subdivision (b), item (iii) for each child placed in an independent living
3 program pursuant to this section, except that the monthly amount provided
4 shall not exceed the average monthly cost of purchased services for the
5 child in the three months immediately preceding placement in an
6 independent living program.

7 F. The department shall adopt rules pursuant to title 41, chapter 6
8 to carry out this section.

9 G. The department shall provide quarterly progress reports to the
10 court and to local foster care review boards for each youth participating
11 in the independent living program.

12 H. The local foster care review boards shall review at least once
13 every six months the case of each youth participating in the independent
14 living program.

15 I. The department shall establish an educational case management
16 unit within the division consisting of two case managers to develop and
17 coordinate educational case management plans for youths participating in
18 the independent living program and to assist youths in the program to do
19 the following:

- 20 1. Graduate from high school.
- 21 2. Pass the statewide assessment pursuant to section 15-741.
- 22 3. Apply for postsecondary financial assistance.
- 23 4. Apply for postsecondary education.

24 ~~J. The department shall prepare a report on or before March 1 of~~
25 ~~each year that contains the following information for the previous~~
26 ~~calendar year:~~

- 27 ~~1. The number of children in the program.~~
- 28 ~~2. The number of children in the program by age and grade.~~
- 29 ~~3. The number of children in the program by county of residence.~~
- 30 ~~4. The number of children in the program who graduated from high~~
31 ~~school.~~

32 ~~5. The number of children in the program who received a general~~
33 ~~equivalency diploma.~~

34 ~~6. The number of children in the program enrolled in postsecondary~~
35 ~~education.~~

36 ~~K. The department shall submit a copy of the report prescribed in~~
37 ~~subsection J of this section to the governor, the president of the senate,~~
38 ~~the speaker of the house of representatives and the secretary of state.~~

39 Sec. 4. Section 8-526, Arizona Revised Statutes, is amended to
40 read:

41 8-526. Child welfare; reporting requirements

42 A. The department shall ~~compile the following information on a~~
43 ~~semiannual basis ending March 31 and September 30 of each year: MAKE~~
44 ~~AVAILABLE PROGRAM AND OUTCOMES DATA ON ITS WEBSITE AS PROVIDED IN THIS~~

1 SECTION, IN A FORMAT THAT CAN BE DOWNLOADED AND THAT IS CONDUCIVE TO
2 ANALYSIS.

3 B. THE DEPARTMENT SHALL MAKE AVAILABLE THE FOLLOWING INFORMATION ON
4 A SEMIANNUAL BASIS BY SEPTEMBER 30 FOR THE PERIOD ENDING THE PRIOR JUNE 30
5 AND BY MARCH 31 FOR THE PERIOD ENDING THE PRIOR DECEMBER 31:

6 1. SUCCESS IN MEETING TRAINING REQUIREMENTS.

7 2. CASELOADS FOR CHILD SAFETY WORKERS.

8 3. THE NUMBER OF NEW REPORTS AND REPORTS THAT HAVE BEEN CLOSED.

9 4. THE NUMBER OF CASE-CARRYING CASEWORKERS IN EACH REGION.

10 5. THE NUMBER OF INVESTIGATIONS BY REGION.

11 6. THE NUMBER OF CHILDREN BEING SERVED IN-HOME AND THE NUMBER OF
12 CHILDREN BEING SERVED OUT-OF-HOME BY EACH REGION.

13 ~~1.~~ 7. The total number of reports received, by major category and
14 by priority. ~~The report shall include a description of some of those~~
15 ~~incoming communications determined not to meet the criteria of a report as~~
16 ~~chosen by a random sample.~~

17 ~~2.~~ 8. The number of reports not responded to, by priority, by
18 county and statewide. ~~The report shall include a description of some of~~
19 ~~these cases as chosen by random sample.~~

20 ~~3.~~ 9. The number of reports assigned for investigation by priority
21 and by major category, by county and statewide for the current and
22 previous reporting periods.

23 ~~4.~~ 10. The number of REPORTS FOR investigations completed by
24 priority and by major category, by county and statewide for the current
25 and previous reporting periods and as categorized by investigations that
26 resulted in:

27 (a) A substantiated report.

28 (b) A report currently proposed for substantiation.

29 (c) An unsubstantiated report.

30 ~~5.~~ 11. The number of reports assigned for investigation that
31 remain open for investigation by priority and by major category, by county
32 and statewide for the current and previous reporting periods.

33 ~~6.~~ 12. Of the number of ~~reports assigned for investigation~~
34 CHILDREN REPORTED TO THE DEPARTMENT, the percentage of ~~reports that~~
35 ~~resulted in a child being~~ CHILDREN placed in out-of-home care by county
36 and statewide.

37 ~~7.~~ 13. The number of newborn infants delivered to safe haven
38 providers pursuant to section 13-3623.01.

39 ~~8.~~ 14. The number of children entering out-of-home care by county
40 during the reporting period, and the number and percentage of the children
41 entering out-of-home care by county during the reporting period who are
42 voluntary placements for children under eighteen years of age.

43 ~~9.~~ 15. The number and percentage of children removed during the
44 reporting period, by county and statewide, who had been in out-of-home
45 care:

1 (a) Within the previous twelve months.

2 (b) Within the previous twenty-four months, excluding the children
3 included in subdivision (a) of this paragraph.

4 ~~10.~~ 16. The number and percentage of children who have remained in
5 a shelter or receiving home for more than twenty-one consecutive days, by
6 the child's age group.

7 ~~11.~~ 17. The TOTAL number ~~and type~~ of licensed foster homes, THE
8 NUMBER OF LICENSED FOSTER HOMES CONSIDERED KINSHIP HOMES, THE NUMBER OF
9 LICENSED COMMUNITY FOSTER HOMES and the number of ~~licensed and~~ available
10 spaces in ~~those~~ LICENSED COMMUNITY FOSTER homes.

11 ~~12. The number and type of licensed foster homes that leave the~~
12 ~~foster care system and the reason for the exit.~~

13 ~~13.~~ 18. The number of licensed foster homes that receive the
14 required visitation by ~~case managers~~ LICENSING AGENCY REPRESENTATIVES
15 pursuant to section 8-516.

16 ~~14.~~ 19. The number of children placed in the care, custody and
17 control of the department at the end of the reporting period and the
18 number of these children who receive the required visitation by case
19 managers pursuant to section 8-516.

20 ~~15.~~ 20. The number and percentage of children who are in the care,
21 custody and control of the department at the end of the reporting period
22 and who are in out-of-home placement and as categorized by:

23 (a) Age.

24 (b) Ethnicity.

25 (c) Case plan goal.

26 (d) Type of out-of-home placement, categorized by age.

27 (e) Length of time in out-of-home placement of less than thirty
28 days, thirty-one days to twelve consecutive months, twelve to twenty-four
29 consecutive months and more than twenty-four consecutive months, including
30 the median, average and range of the number of out-of-home placements.

31 (f) Primary legal status including voluntary placement for a child
32 under eighteen years of age, temporary custody, adjudicated dependent,
33 free for adoption, voluntary placement for a child over eighteen years of
34 age, dually adjudicated or any other legal status.

35 ~~16.~~ 21. If the case plan is to return the child to the parent, the
36 percentage of parents who receive the required contact by case managers.

37 ~~17.~~ 22. The number and percentage of children who left the custody
38 of the department during the reporting period by reason for leaving care
39 and as categorized by:

40 (a) Age.

41 (b) Ethnicity.

42 (c) Number of placements.

43 (d) Average length of time in care.

1 ~~18.~~ 23. The number of children with a petition for termination of
2 parental rights granted and not granted during the reporting period by
3 county and statewide.

4 ~~19.~~ 24. The number and percentage of children with a case plan
5 goal of adoption and who are not placed in an adoptive home at the end of
6 the reporting period and as categorized by:

7 (a) Age.

8 (b) Ethnicity.

9 (c) Average length of time in care.

10 (d) Legal status.

11 ~~20.~~ 25. The number and percentage of children with a case plan
12 goal of adoption and who are placed in an adoptive home at the end of the
13 reporting period and as categorized by:

14 (a) Age.

15 (b) Ethnicity.

16 (c) Average length of time in out-of-home placement.

17 (d) Length of time from change of case plan goal to adoptive
18 placement.

19 (e) Legal status.

20 (f) Marital status and relationship of the adoptive parent or
21 parents to the child.

22 ~~21.~~ 26. The number of children whose adoptive placement was
23 disrupted during the reporting period and as categorized by:

24 (a) Age.

25 (b) Ethnicity.

26 (c) Cause of the disruption.

27 (d) Marital status and relationship of the adoptive parent or
28 parents to the child.

29 ~~22.~~ 27. The number of children whose adoptions were finalized
30 during the reporting period and as categorized by:

31 (a) Average length of time in out-of-home placement before adoptive
32 placement.

33 (b) Average length of time in adoptive placement before the final
34 order of adoption.

35 (c) Marital status and relationship of the adoptive parent or
36 parents to the child.

37 ~~23.~~ 28. The number of children who died while in the custody of
38 the department by the county where the death occurred and as categorized
39 by:

40 (a) The cause of death.

41 (b) The type of out-of-home placement at the time of death.

42 ~~24.~~ 29. The number of children with an open or active child safety
43 services case who died due to abuse, categorized by the person or persons
44 who had care or custody of the child at the time of the child's death as
45 follows:

- 1 (a) Biological parent or parents.
- 2 (b) Other family member.
- 3 (c) Adoptive parent or parents.
- 4 (d) Foster care parent or parents.
- 5 (e) Other out-of-home care provider.

6 ~~25.~~ 30. The number of children with an open or active child safety
7 services case who died due to abuse allegedly caused by an adult household
8 member who is not listed pursuant to paragraph ~~24~~ 29 of this subsection.

9 31. THE RATIO OF SUPERVISORS TO SPECIALISTS BY REGION.

10 32. THE SOURCE AND USE OF FEDERAL MONIES IN THE DEPARTMENT.

11 33. THE SOURCE AND USE OF STATE MONIES IN THE DEPARTMENT.

12 ~~B.~~ C. Based on the data presented in each reporting period, the
13 department, in as brief a format as possible, shall describe three to five
14 major challenges the department faces in achieving the goal of safe,
15 permanent homes for abused and neglected children.

16 ~~C.~~ D. Within three months after the end of each reporting period
17 the department shall submit a written report in as brief a format as
18 possible to the governor, the president of the senate, the speaker of the
19 house of representatives, the chairperson of the house human services
20 committee, the chairperson of the senate family services committee, or
21 their successor committees, and the cochairpersons of the joint
22 legislative committee on children and family services. The department
23 shall submit a copy of the report to the secretary of state ~~and the~~
24 ~~director of the Arizona state library, archives and public records.~~

25 E. THE DEPARTMENT SHALL MAKE AVAILABLE THE FOLLOWING INFORMATION ON
26 AN ANNUAL BASIS:

27 1. THE PERCENTAGE OF SUBSTANTIATIONS UPHOLD BY THE OFFICE OF
28 ADMINISTRATIVE HEARINGS.

29 2. THE DEMOGRAPHICS AND NUMBER OF CHILDREN PLACED WITH RELATIVE
30 CAREGIVERS.

31 3. THE DEMOGRAPHICS OF KINSHIP FOSTER CAREGIVERS.

32 4. THE NUMBER OF RELATIVE CHILDREN PER KINSHIP FOSTER CARE FAMILY.

33 5. THE DEPARTMENT'S SUCCESS AT MAINTAINING KINSHIP FOSTER CARE
34 PLACEMENTS.

35 6. THE TYPE AND COST OF SERVICES PROVIDED TO KINSHIP FOSTER CARE
36 FAMILIES BY LICENSED AND UNLICENSED CAREGIVERS.

37 7. THE COST OF SERVICES PROVIDED TO KINSHIP FOSTER CAREGIVERS
38 COMPARED TO THE COST OF OUT-OF-HOME PLACEMENTS.

39 8. THE NUMBER OF CHILDREN AND FAMILIES, BY DISTRICT, RECEIVING
40 SERVICES THROUGH THE HOUSING ASSISTANCE PROGRAM DURING THE PREVIOUS FISCAL
41 YEAR.

42 9. THE TOTAL AMOUNT OF MONEY SPENT ON THE HOUSING ASSISTANCE
43 PROGRAM BY REGION.

1 10. A PROGRAMMATIC AND FISCAL EVALUATION OF THE EFFECTIVENESS OF
2 THE HOUSING ASSISTANCE PROGRAM THAT INCLUDES THE AMOUNT OF FOSTER CARE
3 EXPENDITURES AVOIDED.

4 11. THE NUMBER OF CHILDREN IN THE INDEPENDENT LIVING PROGRAM BY
5 AGE, COUNTY AND EDUCATION STATUS.

6 F. THE DEPARTMENT SHALL MAKE AVAILABLE THE FOLLOWING INFORMATION ON
7 A MONTHLY BASIS:

8 1. OPERATIONS AND WORKFORCE DATA MEASURES THAT INCLUDE:

9 (a) STAFF VACANCY LEVELS BY POSITION CATEGORY AND TURNOVER.

10 (b) NEW HIRES, SEPARATIONS, TURNOVER AND VOLUNTARY ATTRITION
11 DELINEATED BY FIELD POSITION, SAFETY SPECIALISTS, HOTLINE STAFF,
12 CASEWORKERS IN TRAINING, PROGRAM, PROGRAM SUPERVISORS, CASE AIDES, OFFICE
13 OF CHILD WELFARE INVESTIGATIONS STAFF AND ADMINISTRATIVE STAFF.

14 (c) HOTLINE PERFORMANCE.

15 (d) REPORTS RECEIVED BY MALTREATMENT TYPE, PRIORITY AND RESPONSE
16 TIME.

17 (e) INACTIVE CASES BY DISPOSITION.

18 (f) OPEN REPORTS.

19 (g) ENTRIES AND EXITS FROM THE FOSTER CARE POPULATION BY EXIT TYPE.

20 (h) SUPPORT SERVICE PROVISION.

21 (i) DEMOGRAPHICS, PLACEMENT TYPES AND CASE PLAN GOALS OF THE FOSTER
22 CARE POPULATION.

23 (j) THE NUMBER AND TYPE OF LICENSED FOSTER HOMES THAT LEAVE THE
24 FOSTER CARE SYSTEM AND THE REASON FOR THE EXIT.

25 2. FINANCIAL DATA THAT COMPARES TOTAL EXPENDITURES EACH MONTH AND
26 YEAR-TO-DATE AS COMPARED TO PRIOR YEAR TOTALS, APPROPRIATION TOTALS AND
27 PROJECTED EXPENDITURE TOTALS, DELINEATED BY APPROPRIATION AND APPROPRIATED
28 FUND SOURCE.

29 G. THE DEPARTMENT SHALL MAKE THE INFORMATION REQUIRED PURSUANT TO
30 SUBSECTION B OR F OF THIS SECTION AVAILABLE WITHIN SIXTY DAYS AFTER THE
31 END OF THE APPLICABLE REPORTING PERIOD.

32 H. THE DEPARTMENT SHALL NOTIFY THE PRESIDENT OF THE SENATE, THE
33 SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE DIRECTOR OF THE JOINT
34 LEGISLATIVE BUDGET COMMITTEE AND THE DIRECTOR OF THE GOVERNOR'S OFFICE OF
35 STRATEGIC PLANNING AND BUDGETING WHEN AN UPDATE IS MADE ON INFORMATION
36 THAT MUST BE MADE AVAILABLE PURSUANT TO SUBSECTION B OR F OF THIS SECTION.

37 Sec. 5. Section 8-812, Arizona Revised Statutes, is amended to
38 read:

39 8-812. Child safety expedited substance abuse treatment fund

40 A. The child safety expedited substance abuse treatment fund is
41 established consisting of monies appropriated by the legislature. The
42 department shall administer the fund.

43 B. Monies in the fund are exempt from the provisions of section
44 35-190 relating to lapsing of appropriations.

1 C. Monies in the fund shall be used to provide expedited substance
2 abuse treatment to parents or guardians with a primary goal of
3 facilitating family preservation or reunification, including, if
4 necessary, services that maintain the family unit in a substance abuse
5 treatment setting. Fund monies shall not be spent on behalf of a parent
6 or guardian unless all of the following are true:

7 1. The parent or guardian is a party to a dependency action
8 concerning a child of the parent or a child under the care of the
9 guardian.

10 2. The parent or guardian is not eligible for benefits under title
11 XIX of the social security act (P.L. 89-97; 79 Stat. 344) or private
12 insurance, or the necessary substance abuse treatment service is not
13 available under title XIX of the social security act or private insurance.

14 3. The case plan provides for the child to either remain with or
15 return to the parent or guardian.

16 4. The treatment is necessary for the case plan to be accomplished.

17 D. The department shall give preference in using fund monies to pay
18 for treatment for parents or guardians who are parties in cases that are
19 part of any judicially or legislatively created program for expedited
20 proceedings in dependency determinations.

21 E. The fund is the payor of last resort for treatment. Fund monies
22 shall not be spent to pay for treatment if other monies are available to
23 pay for the treatment. If it is determined after fund monies are spent to
24 pay for treatment that other monies were available to pay for the
25 treatment, the department may seek to have the fund reimbursed for the
26 payment.

27 ~~F. The department shall make the following information available to~~
28 ~~the public on request and on the department's website:~~

29 ~~1. The number and percentage of parents and guardians who are~~
30 ~~offered treatment paid for with fund monies and who complete treatment.~~

31 ~~2. The number of cases and children who are able to remain with or~~
32 ~~are returned to the custody of their parents or guardians as a result, in~~
33 ~~whole or in part, of treatment paid for with fund monies.~~

34 ~~3. The number of children who receive expedited permanent placement~~
35 ~~as a result of the availability of services paid for with fund monies.~~

36 ~~4. Data for cases that are part of expedited proceedings as~~
37 ~~described in subsection D of this section.~~

38 ~~G. F.~~ F. The department shall provide services pursuant to this
39 section in collaboration with the ~~department of health services~~ ARIZONA
40 HEALTH CARE COST CONTAINMENT SYSTEM.

41 ~~H. G.~~ G. A recipient of services that are paid for with fund monies
42 shall sign a written statement that is substantially in the following
43 form:

1 By signing this document, I indicate my understanding of
2 the seriousness of my substance abuse problem and its effects
3 on my ability to parent my child or children. I understand
4 that this expedited substance abuse treatment program is paid
5 for with monies that were specifically provided to speed the
6 resolution of the case plan that may return the child or
7 children to the parent. I acknowledge that successful
8 completion of this treatment program will be a significant
9 factor in my future relationship with my child or children,
10 the state of Arizona and the department of child safety. I
11 fully intend to complete the substance abuse treatment program
12 as part of the case plan to obtain custody of my child or
13 children.

14 H. IF THE LEGISLATURE APPROPRIATES MONIES TO THE FUND, THE
15 DEPARTMENT SHALL MAKE THE FOLLOWING INFORMATION AVAILABLE ON THE
16 DEPARTMENT'S WEBSITE:

17 1. THE NUMBER AND PERCENTAGE OF PARENTS AND GUARDIANS WHO ARE
18 OFFERED TREATMENT PAID FOR WITH FUND MONIES AND WHO COMPLETE TREATMENT.

19 2. THE NUMBER OF CHILDREN WHO CAN REMAIN WITH OR WHO ARE RETURNED
20 TO THE CUSTODY OF A PARENT OR GUARDIAN AS A RESULT OF, IN WHOLE OR IN
21 PART, TREATMENT PAID FOR WITH FUND MONIES AND THE NUMBER OF CASES IN WHICH
22 THIS OCCURS.

23 3. THE NUMBER OF CHILDREN WHO RECEIVE EXPEDITED PERMANENT PLACEMENT
24 AS DESCRIBED IN SUBSECTION D OF THIS SECTION AS A RESULT OF THE
25 AVAILABILITY OF SERVICES PAID FOR WITH FUND MONIES.

26 Sec. 6. Section 8-817, Arizona Revised Statutes, is amended to
27 read:

28 8-817. Initial screening and safety assessment and
29 investigation protocols

30 A. The department shall develop, establish and implement initial
31 screening and safety assessment protocols in consultation with the
32 attorney general and statewide with county attorneys, chiefs of police,
33 sheriffs, medical experts, victims' rights advocates, domestic violence
34 victim advocates and mandatory reporters. Any initial screening and
35 safety assessment tools shall be based on sound methodology and shall
36 ensure valid and reliable responses. The department shall establish
37 written policies and procedures to implement the use of the initial
38 screening and safety assessment protocols.

39 B. To ensure thorough investigations of those accused of crimes
40 against children, in each county, the county attorney, in cooperation with
41 the sheriff, the chief law enforcement officer for each municipality in
42 the county and the department shall develop, adopt and implement protocols
43 to guide the conduct of investigations of allegations involving criminal
44 conduct. The protocols shall include:

1 1. The process for notification of receipt of criminal conduct
2 allegations.

3 2. The standards for interdisciplinary investigations of specific
4 types of abuse and neglect, including timely forensic medical evaluations.

5 3. The standards for interdisciplinary investigations involving
6 native American children in compliance with the Indian child welfare act.

7 4. Procedures for sharing information and standards for the timely
8 disclosure of information.

9 5. Procedures for coordination of screening, response and
10 investigation with other involved professional disciplines and
11 notification of case status and standards for the timely disclosure of
12 related information.

13 6. The training required for the involved child safety workers, law
14 enforcement officers and prosecutors to execute the investigation
15 protocols, including forensic interviewing skills.

16 7. The process to ensure review of and compliance with the
17 investigation protocols and the reporting of activity under the protocols.

18 8. Procedures for annual reports to be transmitted within
19 forty-five days after the end of each fiscal year independently from ~~the~~
20 ~~department and~~ each county attorney to the governor, the speaker of the
21 house of representatives and the president of the senate and a copy of
22 ~~this report~~ THESE REPORTS to be provided to the secretary of state. ~~Each~~
23 ~~agency must submit a separate report.~~ Each report made pursuant to this
24 paragraph must be independently prepared and submitted without any input
25 from or communication with the other reporting entities. Each report is a
26 public document and shall include:

27 (a) The number of criminal conduct allegations investigated and how
28 many of these investigations were conducted jointly pursuant to the
29 investigation protocols established in this subsection.

30 (b) Information from each county attorney regarding the number of
31 cases presented for review, the number of persons charged in those cases,
32 the reasons why charges were not pursued and the disposition of these
33 cases.

34 (c) The reasons why a joint investigation did not take place.

35 9. Procedures for dispute resolution.

36 C. The department shall cooperate with the county attorney and the
37 appropriate law enforcement agency pursuant to the investigation protocols
38 adopted in this section. In instances of criminal conduct against a
39 child, the department shall protect the victim's rights of the children in
40 its custody against harassment, intimidation and abuse, as applicable,
41 pursuant to article II, section 2.1, Constitution of Arizona.

42 D. The county attorney and the law enforcement agency shall
43 cooperate with the department pursuant to the investigation protocols
44 adopted in this section.

1 Sec. 7. Repeal

2 Section 8-818, Arizona Revised Statutes, is repealed.

3 Sec. 8. Department of child safety; reporting requirements;

4 delayed repeal

5 A. The department of child safety shall prepare the first
6 semiannual report prescribed by section 8-526, subsection B, Arizona
7 Revised Statutes, as amended by this act, on or before September 30, 2018
8 for the period beginning April 1, 2018 and ending June 30, 2018. All
9 subsequent semiannual reports shall be completed on or before March 31 and
10 September 30 each year.

11 B. The department shall publish on its website the outcome metrics
12 dashboard created for the department's legislative oversight committee.

13 C. On or before December 31, 2018, the department of child safety
14 shall:

15 1. Work with stakeholders to identify the necessity of the
16 information currently required by law and any information not currently
17 required to be included in the reports.

18 2. Report on any recommended changes in reporting requirements to
19 the committee of reference appointed pursuant to section 41-2954, Arizona
20 Revised Statutes, for health and human services issues.

21 D. This section is repealed from and after September 30, 2019.

APPROVED BY THE GOVERNOR MARCH 29, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2018

Passed the House March 27, 2018,

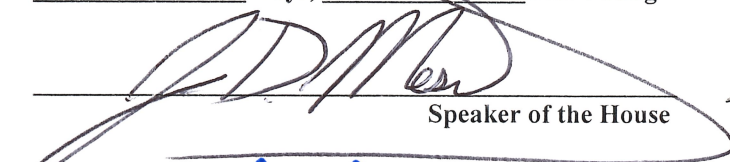
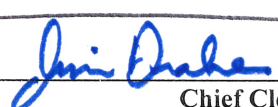
Passed the Senate February 27, 2018,

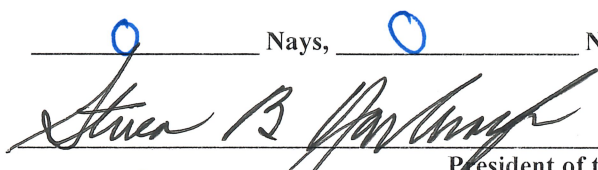
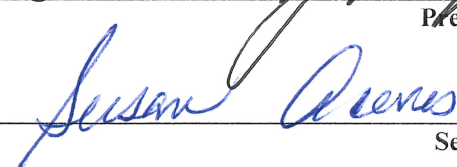
by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

0 Nays, 2 Not Voting

0 Nays, 0 Not Voting


Speaker of the House

Chief Clerk of the House

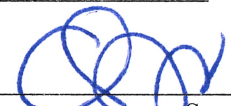

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

28th day of March, 2018

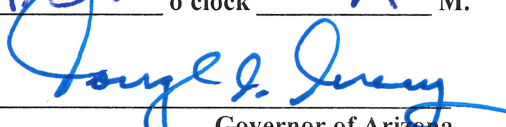
at 10:23 o'clock A. M.


Secretary to the Governor

Approved this 29th day of

March, 2018,

at 11:57 o'clock A. M.


Governor of Arizona

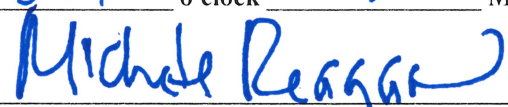
S.B. 1518

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 29 day of March, 2018,

at 3:04 o'clock P. M.


Secretary of State